

MAY 04 2006

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

MARK J. KONSAVICH,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

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Civil Action No. 7:06-cv-00274

FINAL ORDER

By: Hon. Glen E. Conrad
United States District Judge

In accordance with the accompanying memorandum opinion, it is now

ORDERED

that the petitioner's motion to vacate, set aside or correct sentence under 28 U.S.C. § 2255 shall be
and hereby is **DISMISSED** without prejudice as premature.

The Clerk is directed to strike the case from the active docket of the court and to send
certified copies of this order and the accompanying memorandum opinion to the petitioner and
counsel of record for the respondent.

ENTER: This 3rd day of May, 2006.

[Signature]

United States District Judge